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## Minutes

### WASHINGTON CITY PLANNING COMMISSION

July 3, 2013

Present: Commissioner Schofield, Commissioner Smith, Commissioner Averett, Commissioner Williams, Commissioner Martinsen, Councilman Staheli, Attorney Melinda Hill, Drew Ellerman, Kathy Spring, Mike Shaw, Chris Michel, Jacob Cooper, Jason Prisbrey, Maria Lobato, Laure Brown, Susan Kimball, Don Kimball, John Macumer, Larry Bennett, Jim Raines, Lori Raines, Kyle Pasley.

Meeting called to order: 5:30 PM

Invocation: Commissioner Smith

Pledge of Allegiance: Commissioner Schofield

Commissioner Schofield welcomes Commissioner Martinsen as the new appointed Commissioner, he will serve as the alternate and Commissioner Williams replaces Commissioner Burnette.

1. APPROVAL OF AGENDA

A. Approval of the agenda for July 3, 2013.

**Commissioner Smith motioned to approve the agenda for July 3, 2013.**

**Commissioner Averett seconded the motion.**

**Motion passed unanimously.**

2. APPROVAL OF MINUTES

A. Approval of the minutes from June 19, 2013.

**Commissioner Averett motioned to approve the minutes from June 19, 2013.**

**Commissioner Smith seconded the motion.**

**Motion passed unanimously.**

3. DECLARATION OF ABSTENTIONS & CONFLICTS

Commissioner Smith abstains from item 5-A and 5-B.

4. CONDITIONAL USE PERMIT

A. Public Hearing to consider approval of a Conditional Use Permit C-13-10 request for a Firearms Retail/Indoor Shooting Range located at 400 West Telegraph.

Applicant: Dixie GunworX, Chris Michael and Jacob Cooper

## **Background**

Drew Ellerman stated the applicant is requesting approval of a Conditional Use Permit for an indoor shooting range business. The proposed site is located at 400 West Telegraph Street (in the current Airplane Museum building). The applicant is wishing to develop an indoor shooting range business in conjunction with the current gun repair business at this location.

The zoning ordinance does not list a "shooting range" specifically in either the permitted uses or in the conditional use list in this particular C-2 zoned property. The zoning ordinance, as found in section 9-10B-2C titled "Other Uses", does allow for the planning commission to determine, through the conditional use permit process, if an application can be found to be "compatible and in harmony with the intent of this zone".

This is the process in which this applicant is seeking approval for this use at this time. Also not found in the zoning ordinance is a stated requirement for off street parking. The applicant is proposing an off street parking requirement of one and a half (1.5) off street parking stalls per one shooting stall found in the shooting range area. This calculation would be added to the current parking stalls required for the existing gun repair business (which requires 5 stalls currently), making the minimum required parking area to include twenty (20) parking stalls.

The large storage area of the existing building would be modified on the inside to build (at this time) ten shooting lanes. The design and construction of the interior would be required to meet the industry standard for bullet absorption and noise minimization.

Attached in this report are examples of what the applicant will be using to accomplish this measure.

Staff has reviewed the request, and is recommending approval with conditions as outlined below.

## **Recommendation**

Staff recommends that the Planning Commission approve C-13-10, allowing for a shooting range business to be established at the location of 400 West Telegraph Streets, based on the following findings and subject to the following conditions:

## **Findings**

1. The proposed use, at the particular location, is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood and community; and
2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of the persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
3. The proposed use will comply with the regulations and conditions specified in this title and associating state and federal titles, for such use; and
4. The proposed use will conform to the intent of the general plan.

### **Conditions**

1. Any site improvements shall meet the requirements of City and State adopted codes.
2. Before occupancy, the City Fire Marshall, City Public Safety Department and the City Building Department will do inspections to insure that all code requirements and safety issues are addressed and complied with.
3. Trash dumpsters shall be screened from public view.
4. All signs shall be located and approved as per city sign ordinance.
5. Parking for the shooting range area of the business will be required to be 1.5 off street parking stalls per shooting lane. All other off street parking will be as outlined in the zoning ordinance.
6. All outdoor lighting shall be directed inward to the site.
7. All future expansion(s) will be required to follow all the conditions of this use permit.

Commissioner Schofield asked when the gun repair shop business was granted.

Mr. Ellerman stated it was a permitted use in a C-2 they have been there for about 6 months the building is existing they didn't need a Conditional Use Permit.

Jacob Cooper and Chris Michel:

Mr. Cooper stated he is the business partner mostly financial planner. He reviewed items in the packet. Chris Michael is the CEO for the company. There are 10 individual 25-yard lanes and a 50-yard lane for a total of 11 lanes. He stated he has spoken with Washington City and St George Police Department to explain the tactical bay and has been met with excited responses to the range. The building is 50 yards in length going east to west. The tactical bay will be ballistic hardened. The hours of operation will be Monday thru Thursday will be 9 am to 10 pm and Friday and Saturday will be 10 am to 10 pm. He stated he has seen people shooting out in the County by Warner Valley and it isn't safe. He stated Mayor Neilson had indicated they would be making it illegal to shoot out at Warner Valley area. They want to create a place that is safe and controlled to shoot firearms.

Chris Michel stated they are working with Action Targets out of Salt Lake City. They are also going to use SRS (special range specialist) out of Hurricane they have 17 years experience. Some of the ranges they are designing their range after are at Patrick Air Force Base, the FBI training facility in Virginia, Buds Gun Shop Lexington Kentucky, Nashville Armory and the Louisiana State Police.

Mr. Cooper stated Kayson Gubler would be the manager of the range. He addressed safety, noise abatement and the timeline. For safety they will use ballistic paneling 1/4 to 3/8 steel plated panels. The panels cannot be penetrated even with a 50 cal rifle. The ballistic panels will line the wall and the wall will be 8 inch concrete filled cinder brick and will shoot east to west. If a bullet did penetrate it, it would have to go through 2 of these walls. If a bullet did get through the walls it would hit a dirt bank. There will be security on site and cameras on at all times. Noise will be cut down 65% by the concrete. If you were standing by Telegraph you wouldn't be able to hear the gunfire. He explained in the Gun Store it is 107 decibels. With the concrete walls 20 feet from the store there would not be a gunshot heard. The time line would have it completed by August or September.

Commissioner Williams asked about the house next to this and the sound. He asked about the ceiling area and bullets going into the ceiling.

Mr. Cooper stated the ceiling is going to have baffles. The ceiling will not be open.

Mr. Michel stated as the shooter aims down the lane all they will see is rubber. On the back of the rubber mats there is steel. The rubber catches the bullets; it will also stop the bullet. It would take about a 1,000 bullets before they would have to change a panel. They will not wait for the 1,000 bullets before they change the panel.

Commissioner Schofield asked about the time.

Mr. Cooper stated they would be open 10 to 10 on Fridays and Saturdays. But this could be negotiable.

Commissioner Schofield asked if they could provide sound abatement completely.

Mr. Cooper stated he isn't convinced there would be any sound louder than traffic.

Commissioner Schofield asked if they did a study about the surrounding area.

Mr. Cooper stated he didn't originally.

Commissioner Schofield stated there is a home that will be used for battered woman involved with domestic violence next to this project.

Mr. Cooper stated they have tried to do everything to make this safe. People can't bring in loaded firearms. It is impossible to pierce the ballistic panels and the concrete walls. The safety and engineering has been done to make this a safe place. He stated he would do whatever they can if concerns arise. He stated they want to be a good neighbor.

Commissioner Schofield opened the public hearing.

Sue Kimball stated she is the founder of the Erin Kimball Foundation. She stated this place is for families fleeing domestic violence and people that come are trying to get away from guns and knives, any form of weapons. She stated if there is a sound or visual it may cause reoccurring trauma and it will put people back into trauma. They serve approximately 150 to 200 women and children a year. There will be a playground abutting this request. She stated this project would bring trauma to her and others. Her daughter and grandkids were shot and on their death certificate it stated they were riddled with bullets. In the ordinance it states the use is necessary or desirable to and will contribute to the general well being of the neighborhood and community. Second the use is not detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvement in the vicinity and third the conditional use will comply with regulations. Fourth it will comply with the General Plan, and does this fit in a residential area. She stated she feels this does not fit in a residential area.

Commissioner Schofield stated he would disclose that he has donated to Erin Kimball Foundation and has a concealed weapon permit. He asked if there is anything that could be done to allow this facility to come in next to their property.

Ms. Kimball stated she has done target shooting as well but her concern is for the people that will be housed at their home.

Commissioner Averett asked where the people would enter into their property.

Ms. Kimball stated they would enter on Vincent Lane. The playground and the house faces Telegraph.

Commissioner Schofield asked if there would be offices, he asked how many they would be housing.

Ms. Kimball stated 3 apt and 3 bedrooms there could be 9 to 10 people but that they would be rotating them into other houses. The people that will come there are fresh from the domestic violence

Commissioner Schofield asked if they come there first before they are placed in homes.

Mr. Kimball stated they do come there before they can find them permanent housing. There is a family living in a RV they are trying to help and some are camping and living in vehicles and that is because they are afraid of where they just came from.

Commissioner Schofield asked how close they are to completing the home.

Ms. Kimball stated they are close to bidding out at the end of this month. They hope to be open by Thanksgiving.

Commissioner Schofield asked how much they have spent on the facility so far.

Mrs. Kimball replied \$177,000 in addition to what they paid for about \$377,000 total.

Commissioner Williams asked who owns the hillside.

Don Kimball stated half way down the hill. They are planning to put a 6-foot block wall by the sidewalk. On the other side they will put a chain link.

Commissioner Smith asked if they would be opposed to them helping them with expense of a block wall.

Mr. Kimball stated he doesn't want this to appear to be a prison. He stated for the last two years he has worked on this project, they are putting the sprinkling system in next then they will sheetrock. He stated with the expense they are putting into the gun range they should be able to purchase another facility somewhere else.

Lorie Brown stated she is from Domestic Violence as well. She stated kids getting off the bus and seeing people with guns will upset the children. People have donated money and with this coming in they wouldn't be as supportive.

John Macumber stated he is a volunteer for the foundation and he feels they have a good project but the place they chose isn't very good.

Larry Bennett stated he owns the property and the men are honorable and they work hard to make sure this is safe. He stated after 13 years of working to make the Air Museum work and have it not, this project is a good business to have come into Washington City. He stated he has tried to bring businesses into Washington City and they were not supported by Washington City mostly because of a parking shortage. Mr. Bennett stated if you can't see what is coming and going, does it matter what is going on. This is a safe business. The neighbors to the west have stolen things and he feels you can't choose your neighbors. He stated this is commercial and this would be an asset to Washington City.

Commissioner Schofield asked what businesses have tried to come in.

Mr. Bennett stated indoor soccer and they went to St George. He would like to appeal to the Commissioners to allow this.

Cheryl Simms stated she is a victim of domestic violence. She was recently brought back to the States after two years of domestic violence. This is traumatic to listen to.

Maria Laboto stated she works directly with the families as an advocate. Even if there isn't noise people will not feel safe knowing there is a shooting range, they come looking for safety.

Commissioner Averett closed the public hearing

Commissioner Smith seconded the motion.

Motion passed unanimously.

Commissioner Schofield asked the applicant to respond to the comments.

Mr. Cooper stated he appreciates what they are doing and has an aunt that has gone through domestic violence. He is concerned with visual sight and hearing the noise that could bring back a traumatic event. He would like to address the visual to place inlets in the chain link to block seeing into their property. He stated they could make a policy that people don't bring in firearms that are visual, no open carry. On the noise they will work that no noise will be heard from there property. The fact that they will be open 9 to 10 PM indicates they are confident that you can't hear anything. If there were a steel pipe was dropped in the middle of the warehouse they would

be able to hear it to the Erin Kimball Foundation Home. They can abate the noise. He stated they couldn't do anything about the knowledge that there is a shooting range next to them.

Commissioner Averett asked if the police come to do training.

Mr. Cooper stated yes police and fire are excited about the tactical bay that they are going to have.

Commissioner Schofield asked if there is any other indoor firing range in Washington County.

Mr. Copper stated Roundy Range is located by the movie theater but isn't an indoor firing range. The Purgatory is open 3 1/2 days a week.

Commissioner Williams stated he appreciate the applicants presentation. He stated he has been in some fire ranges. He stated he is aware of domestic violence and has experience it through two aunts that had gone thru domestic violence and a cousin that was shot by a friend and a coach that can't go to see the fireworks because he was in the Gulf War. First he stated he would like there to be more training and courses provided. Second will they facilitate a block wall for safety and will they put trees to eliminate the visual.

Mr. Michels stated there would be 42 different classes that could be offered to women, to boy and girl scouts to provide education on firearm safety. He stated they would like to have cub scouts come in with training with air rifles for education on firearms safety. There will be NRA instructors to help with the education process.

Mr. Cooper stated there would be concealed weapons course. Also there will be Red Hills Tactical to help with rape and defense classes.

Commissioner Williams stated he has gone out the to shooting range at purgatory and it is often closed. He stated education at a young age is important. He would encourage them to work with the Kimball Foundation to mitigate issues.

Mr. Cooper stated he is the Young Mens President and has helped the teachers and priests build a rifle with an officer to teach safety.

Commissioner Smith asked Mr. Ellerman about the 1 and 1/2 parking spaces per shoot lane requirement, what is the existing requirement.

Mr. Ellerman stated currently they have to have 5 there are 15 and with the added 11th lane they would have to add 22 parking spaces for the repair and shoot range.

Commissioner Averett asked if the conditional use permit expires and if the conditions aren't met could revoke the conditional use permit?

Mr. Ellerman stated yes if any of the conditions aren't met the city could do the revoke process. There is a time limit of 12 months to get completely running.

Commissioner Schofield stated he commends the applicant for their presentation. He stated he gave disclosure of his involvement with the foundation and as a gun owner. He stated in his opinion he knew what the opposition was going to be prior to coming tonight. He stated logically why would a gun repair shop come next to a facility that houses women coming from domestic violence and why would they want to put in a shooting range? He stated if there was a half way house for pedophiles and a daycare center wanted to come in to that location it would bother him as much as a facility dealing with domestic violence being located next to a shooting range. He stated it just doesn't make sense. He stated he hopes they could find somewhere else for this use because they have a good product and a good needed facility. He would approve the shooting range if the Erin Kimball Foundation Home was not located next to them. Location is important and the location for this doesn't warrant a conditional use permit, he stated he questions why they have a business license for the gun repair business there in the first place. He stated if one woman or child were to see or hear something to set them off that is one to many. He feels for Mr. Bennett as he has tried to use the building. He stated the city has helped with \$150,000 to the Erin Kimball Foundation to complete the facility. He stated he would like to help them find another place for this facility in Washington City.

Mr. Ellerman stated he would like to clarify the city did not give \$150,000 but that the city only helped with a grant.

Commissioner Averett stated at first he supported this request and then he realized that there is the Erin Kimball Foundation Home next to them. He stated people might feel safe with seeing police there using the facility.

Commissioner Schofield stated perhaps they could help the Erin Kimball Foundation find another area. If things were reversed if the range was there first and Erin Kimball Foundation came in he would have to support the range.

Commissioner Williams stated he is an advocate for growth and with certain types of businesses where they should and shouldn't be and this is only permitted in commercial. He stated he would like to see hunter safety required in high school. Kids play with guns and don't have any education. If his cousins had been educated about guns he wouldn't have shot his friend. He stated he has gone to many ranges in Salt Lake they were on State Street and in residential areas and there wasn't any noise. With the posttraumatic stress syndrome there needs to be a place for education. He stated he is for this. NRA instructors have to teach courses.

Commissioner Schofield stated this isn't just about commercial there is residential and this type facility doesn't belong in residential.

Attorney Hill clarified even if they don't approve the range that they can do a business with repairing guns because it is a permitted use.

Commissioner Schofield stated at least for now.

**Commissioner Schofield motioned to deny the conditional use permit due to wrong location for this type of facility next to the foundation.**

**Commissioner Averett seconded the motion.**

**Commissioner Martinsen Aye.**

**Commissioner Averett Aye.**

**Commissioner Smith Nay.**

**Commissioner Schofield Aye.**

**Commissioner Williams Nay.**

**Note passed with a 3-2 vote.**

**5. FINAL PLAT**

- A. Consideration and recommendation to City Council for a Final Plat for Rusted Hills located at approximately Majestic Drive (3090 South 800 East) Camino Real.  
Applicant: Paul Freed

**Background**

Drew Ellerman stated the applicant is requesting approval of a final plat for the Rusted Hills subdivision (formerly known as and preliminary plat approved as Freed Subdivision), located at approximately Majestic Drive (3090 South) and Camino Real (800 East). This particular subdivision is proposing 11 lots on an area covering 5.26 acres. The specific location of this subdivision is zoned R-1-15 (Single-Family Residential - 15,000 sq. ft. min.). The Preliminary Plat was approved back on February 13, 2013.

Staff has reviewed the requested proposal, and the proposed final plat conforms to the approved preliminary plat.

**Recommendation**

Staff recommends that the Planning Commission recommend approval of the Final plat for the

Rusted Hills subdivision to the City Council, based on the following findings and subject to the following conditions:

**Findings**

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

**Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.

3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".

Commissioner Schofield asked if there are any changes from the Preliminary Plan, and has the Developer started moving dirt?

Jason Smith stated he represents the applicant there is curb and gutter installed.

Mike Shaw stated he is requesting Condition #5 an easement on lot 6 for a detention basin to be shown with restriction of use. Condition #6 post construction maintenance agreement needs to be in place prior to recording.

Commissioner Schofield asked for an update on the number of building permits for 2013.

Mr. Ellerman stated there were 549 building permits for 2013, which is the 2nd largest year with 590 being the largest number of permits.

**Commissioner Averett motioned to recommend approval to City Council with the findings and conditions of staff with added condition #5 that a detention area needs an easement shown on SW lot 6 and Condition #6 that post construction maintenance agreement must be recorded prior to the plat recordation.**

**Commissioner Williams seconded the motion.**

**Motion passed unanimously.**

- B. Consideration and recommendation to City Council for a Final Plat for Washington Vista at Green Springs Phase 4 located at approximately 2000 North Green Springs Drive. Applicant: First Nation Investments LLC., Matthew Lowe

### **Background**

Drew Ellerman stated the applicant is requesting approval of a final plat for the Washington Vista at Green Springs, Phase 4 subdivision, located at approximately 2000 North Green Springs Drive. This particular phase of the subdivision is proposing 31 lots on an area covering 11.07 acres. The specific location of this subdivision is zoned R-1-10 (Single-Family Residential - 10,000 sq. ft. min.). The Preliminary Plat was approved back on May 25, 2012.

Staff has reviewed the requested proposal, and the proposed final plat, phase 4, conforms to the approved preliminary plat.

### **Recommendation**

Staff recommends that the Planning Commission recommend approval of the Final plat for the Washington Vista at Green Springs, Phase 4 subdivision to the City Council, based on the following findings and subject to the following conditions:

### **Findings**

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

### **Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".

Mr. Ellerman stated Public Works is requesting additional condition #5 that half of Green Springs Drive to be built or bonded for all the way to the boundary line. Condition #6 that drainage area built or bonded for before recording and Condition #7 that a post maintenance agreement be entered into before recording the plat.

Commissioner Schofield stated he requested that the developer Mr. Lowe and Mr. Morby work together regarding the two lots of land next to the city and not to have the property left vacant.

Dave Nasal stated he had a conversation with Mr. Lowe and he was made aware of the request to contact Mr. Morby.

Jason Smith stated he represents the applicant. He said there has been limited conversation about the road and that it can still go through the lot. Mr. Morby isn't in the area and it has been difficult to contact him because he is out of the area.

Commissioner Schofield stated there aren't any changes, but his problem is there are two pieces of property that aren't a part of this and could possibly be an issue with egress, ingress. There is a 10-foot easement along Green Springs Drive. Old Course Development also has an easement.

Mr. Ellerman stated the Green Springs is a part of a master PUD and this is straight zoning. They are required to put in sidewalk. Northbridge came in with PUD with walls, the developer

at that time wanted things to be a certain way. Silverstone was mostly PUD. Straight zoning is required to put in the roads and standard sidewalk.

Commissioner Schofield said that he is concerned with the lots that will not have ingress, egress.

Mr. Ellerman stated it creates two lots with the road coming in. City Council didn't motion to require them to work out the two lots.

Commissioner Schofield asked Attorney Hill if they could place a condition on this. He doesn't want them to develop this without working out the two parcels.

Attorney Hill answered no.

Mr. Nasal said he just spoke with Matt Lowe and they do have an agreement.

Jim Raines stated he spoke with the people at Old Course Development and there was an agreement at one time. He explained that it is one lot and when the road goes in it will create two lots. There has to be an agreement so this should not hold up this project.

Commissioner Schofield asked Attorney Hill if the city could seize the property for a road.

Attorney Hill stated city would have to have the need.

Mr. Raines stated Old Course wants to come to an agreement they don't want two remnants that they can't do anything with so approving this isn't a problem for them.

Commissioner Schofield stated he sees three lots because of the size, it needs to be split.

Mr. Raines stated the largest lot has some drainage issues.

Commissioner Schofield stated he is sure Old Course would want access off of the cul de sac.

Mr. Raines stated Old Course wanted Mr. Lowe to put in the improvements then their lot would be able to sell as two lots.

Commissioner Schofield asked Mr. Raines in his professional opinion what would he do.

Mr. Raines stated it isn't big enough for three lots because of the drainage and the 30-foot they give up for the road. This is what they decided three years ago. The agreement is that Mr. Lowe would pay for the road and the underground culvert.

Commissioner Schofield asked Mr. Smith what he would do.

Jason Smith stated he would look at the three lots idea but that isn't what they wanted.

Commissioner Schofield stated he is concerned with the parcels that are not a part of this and that there doesn't seem to be an agreement. He would prefer that things were worked out before approval is given, that is what he would do if he were developing this. He asked Mr. Smith if there would be CC&Rs.

Mr. Smith stated yes.

Commissioner Schofield stated he is concerned because there are two parcels that would not be involved in the CC&Rs. He stated he wants things to look good and if there are two vacant lots there could be shanty shacks on them and this would look awful. He said he would do this for any where in the city not just Green Springs. He stated he knows Mr. Morby very well and can't believe he would not want to be a part of this.

Mr. Raines stated he feels this is about money with dividing the lot in half with the road coming through the lot creating two lots. This has been thought through.

Commissioner Williams stated he knows Mr. Morby. Commissioner Williams said he feels that the subdivision is doing what it should do and would favor approving this.

**Commissioner Averett motioned to recommend approval to City Council with the findings and conditions of staff with added condition #5 that half of Green Springs Drive to be built or bonded for all the way to the boundary line. Condition #6 that drainage area built or bonded for before recording and Condition #7 that a post maintenance agreement be entered into before recording the plat.**

**Commissioner Williams seconded the motion.**

**Commission Martinsen Aye.**

**Commissioner Averett Aye.**

**Commissioner Schofield Nay.**

**Commissioner Williams Aye.**

**Motion passed 3-1**

- C. Consideration and recommendation to City Council for a Final Plat for Steeplechase at Washington Fields Phase 1 located at approximately 3930 South 300 East. Applicant: Bob Moore

### **Background**

Drew Ellerman stated the applicant is requesting approval of a final plat for the Steeplechase at Washington Fields, Phase 1 subdivision, located at approximately 3930 South 300 East. This particular phase of the subdivision is proposing 19 lots on an area covering 4.94 acres. The specific location of this subdivision is zoned R-1-6 (Single-Family Residential - 6,000 sq. ft. min.). The Preliminary Plat was approved back on March 13, 2013.

Staff has reviewed the requested proposal, and the proposed final plat, phase 1, conforms to the approved preliminary plat.

**Recommendation**

Staff recommends that the Planning Commission recommend approval of the Final plat for the Steeplechase at Washington Fields, Phase 1 subdivision to the City Council, based on the following findings and subject to the following conditions:

**Findings**

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

**Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".

Commissioner Schofield asked if there are any changes from the preliminary plat.

Mr. Ellerman stated no.

**Commissioner Smith motioned to recommend approval to City Council with the findings and conditions of staff and adding Condition #5 that the post construction maintenance agreement be recorded prior to the plat being recorded.**

**Commissioner Williams seconded the motion.**

**Motion passed unanimously.**

- D. Consideration and recommendation to City Council for a Final Plat for New Warm Springs Phase 6 located at approximately from 950 North to 1160 North and from 400 East to 600 East. Applicant: JCB Homes, LLC

**Background**

Drew Ellerman stated the applicant is requesting approval of a final plat for the New Warm Springs, Phase 6 subdivision, located at approximately 950 North to 1160 North and 400 East to 600 East. This particular phase of the subdivision is proposing 79 lots on an area covering 17.72 acres. The specific location of this subdivision is zoned R-1-

6 (Single-Family Residential - 6,000 sq. ft. min.). The Preliminary Plat was approved back on February 13, 2013.

Staff has reviewed the requested proposal, and the proposed final plat, phase 6, conforms to the approved preliminary plat.

### **Recommendation**

Staff recommends that the Planning Commission recommend approval of the Final plat for the

New Warm Springs, Phase 6 subdivision to the City Council, based on the following findings and subject to the following conditions:

### **Findings**

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

### **Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".

Commissioner Schofield asked if there are any changes from the preliminary plat.

Mr. Ellerman stated no.

**Commissioner Averett motioned to recommend approval to City Council with the findings and conditions of staff with added condition #5 that a post maintenance agreement is entered into before recording the plat.**

**Commissioner Smith seconded the motion.**

**Motion passed unanimously.**

## **6. ROAD DEDICATION**

- A. Consideration and recommendation to City Council for a Road Dedication, Tortise Rock Drive located at approximately 500 East and from 850 North to 1200 North.  
Applicant: JCB Homes

**Background**

Drew Ellerman stated the applicant is requesting approval of the road dedication plat for Tortise Rock Drive, located at approximately 500 East and from 850 North to 1200 North.

The Public Works Department has reviewed the plat and approved the design.

**Recommendation**

Staff recommends that the Planning Commission recommend approval of the Road Dedication plat for Tortise Rock Drive to the City Council.

**Commissioner Averett motioned to recommend approval to City Council with the recommendation of staff.**

**Commissioner Smith seconded the motion.**

**Motion passed unanimously.**

7. DISCUSSION ITEMS

- A. Discussion of General Information.

Mr. Ellerman stated Commissioner Schofield brought in a Kiplinger Letter regarding Vacation Rentals and the issues that cities are having across the states.

Meeting Adjourned: 8:25 PM

Commissioner Smith motioned to adjourn the Planning Commissioner meeting for July 3, 2013.

Commissioner Averett seconded the motion.

Motion passed unanimously.

Washington City

Signed by:

  
Rick Schofield, Chairman

Attested to:

  
Kathy Spring, Zoning Technician